

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JESS LEVENTHAL, et al	:	CIVIL ACTION
Plaintiff	:	
	:	
v.	:	NO. 18-2727
	:	
THE MANDMARBLESTONE GROUP LLC, et al	:	
Defendant	:	

ORDER

AND NOW, following upon Plaintiffs’ Jess Leventhal, The Leventhal Sutton & Gornstein 401(k) Profit Sharing Plan, and Leventhal Sutton & Gornstein law firm (collectively “Plaintiff”) motion to compel responses to various interrogatories and requests for admission, and for the reasons set forth in the accompanying Memorandum Opinion, IT IS HEREBY ORDERED that Plaintiffs’ motion is GRANTED.

IT IS FURTHER ORDERED THAT the parties shall amend their filings as follows and in accordance with directions set out in the accompanying Memorandum Opinion:

1. The MandMarblestone Group LLC (“MMG”) must amend its answer to Plaintiff’s RFA No. 1 to respond to the substance of the request as to whether anti-fraud measures were actually implemented;
2. MMG must amend its answer to Plaintiff’s RFA No. 3 to respond to the central factual inquiry presented as to whether the IP addresses associated with the fraudulent withdrawals are the same or different from those associated with legitimate withdrawals;
3. Nationwide Trust Company (“Nationwide”) must amend its answer to

Plaintiff's Interrogatory No. 1 of October 10, 2018 to state with specificity how its procedures were applied in the withdrawals at issue in this case;

4. Plaintiff and Nationwide must meet and confer for Plaintiff to narrow the scope of its Interrogatory No. 4 of October 10, 2018 and for Nationwide to respond to the substance of the amended interrogatory in accordance with the directive set out in the Memorandum Opinion;
5. Plaintiff and Nationwide must meet and confer for Plaintiff to narrow the scope of its RFA No. 26 and for Nationwide to respond to the substance of the amended RFA in accordance with the directive set out in the Memorandum Opinion;
6. Following the meet and confer between Plaintiff and Nationwide, Nationwide must respond to the substance of Plaintiff's RFA No. 27;
7. Nationwide must amend its answer to Plaintiff's Interrogatory No. 1 of February 5, 2019 to clarify the instances in which an "Original Signature" was required; and
8. Nationwide must amend its answer to Plaintiff's Interrogatory No. 3 of February 5, 2019 to address what, if any, prophylactic measures it implemented as a result of the possible hacking.

/s/ David R. Strawbridge, USMJ
DAVID R. STRAWBRIDGE
UNITED STATES MAGISTRATE JUDGE

Date: November 24, 2020